

Sep-26-03 10:48am From-Norris McLaughlin & Marcus



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T-952 P-004/007 F-841

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/600,299	06/20/2003	Peter Jahn	Bayer 10,244.1-WCG

CONFIRMATION NO. 7718

27386

WILLIAM GERSTENZANG
NORRIS, MC LAUGHLIN & MARCUS, P.A.
220 EAST 42ND STREET, 30TH FLOOR
NEW YORK, NY 10017

FORMALITIES LETTER



"OC000000010807029"

Date Mailed: 09/03/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

\$ 65.00 for small entity
 \$130.00 for other than small entity.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By 
William C. Gerstenzang

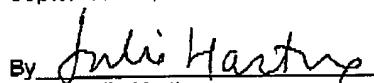
Reg. No. 27,552

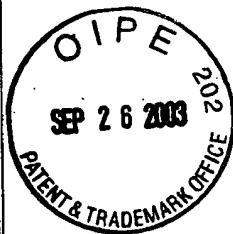
WCG/jh

Encs. - executed Declaration

220 East 42nd Street - 30th Floor
New York, New York 10017
(212) 808-0700

I hereby certify that this correspondence is being transmitted via facsimile, no. 703-746-4060 to the United States Patent and Trademark Office, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 26, 2003.

By 
Julie Harting
Date September 26, 2003



FAX COVER SHEET

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September 26, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP MISSING PARTS

FAX NUMBER 703-746-4060

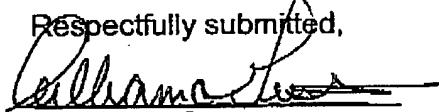
TOTAL PAGES 6
(Plus Fax Cover)

SERIAL NO.	10/600,299
APPLICANT	Peter JÄHN et al
FILED	June 20, 2003
FOR	DIAPHRAGM PUMP
ATTORNEY DOCKET NO.	Bayer 10244.1-WCG

Comments: Attached are

1. Response to Notice to File Missing Parts - (2 pages) CHARGE DEPOSIT ACCOUNT
2. copy of PTO Notification of Missing Requirements (1 page)
3. Executed Declaration (3 pages)

Respectfully submitted,



William C. Gerstenzang
Reg. No. 27,552

VIA FACSIMILE: 703-746-4060
Date: September 26, 2003



Attorney Docket No.: Bayer 10244.1-WCG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Peter JÄHN et al
Serial No. : 10/600,299
Filed : June 20, 2003
For : DIAPHRAGM PUMP
Art Unit : To Be Assigned
Examiner : To Be Assigned

September 26, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

COMMUNICATION RE: FILING OF DECLARATION ON
A DATE LATER THAN THE FILING DATE OF THE APPLICATION

This is in response to the Notice to File Missing Parts dated September 3, 2003, in the above-identified application. A copy of said Notice is attached hereto.

It is respectfully requested that the enclosed declaration submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

a small entity

other than a small entity